

AMENDMENTS TO THE DRAWINGS

The attached sheet of drawings includes changes to FIGS. 1, 2 and 4.

REMARKS

This paper is in response to the *Ex parte Quayle* official action dated April 8, 2010. The Examiner has confirmed that all pending claims in the application are allowed, except claim 74, which is objected to on form grounds. Additionally, the examiner maintains objection to the drawings as being dark and grainy and including handwriting. By making the official action an *Ex parte Quayle* action, the Examiner appears to recognize that once these objections are addressed the application will be allowed.

Toward that end, Applicant includes herewith the replacement sheets for the drawings, showing the changes to Figures 1, 2, and 4. The examiner has indicated that the changes to Figure 3 filed in the March 3, 2010 response have already been accepted. Therefore, that drawing has not been included herewith.

It is respectfully submitted that the objection to the drawings has been overcome.

For claim 74, applicant has amended the claim to clarify the recited subject matter. Specifically, the format of claim 74 is now similar to that of base claim 46, but instead of reciting the use of the cannula of claim 24, claim 74 retains the reference to using the measuring device of claim 1. It is respectfully requested that the examiner enter the amendment. The claim is in condition for allowance by implication given the dependence from claim 1. As amended claim 74 recites:

74. A method comprising using the measuring device of Claim 1 for the quantitative and/or qualitative determination of two, three, four, five, six or more components in multicomponent mixtures in the body fluids of living organisms.

In addition to the clarifying amendment to claim 74, the bodies of claims 35 and 44 have been amended to remove ("especially") clauses that have a similar structure to a clause that was previously rejected by the examiner and removed from the preamble of claim 44.

Claim 24 was amended to remove a redundant "or" statement.

Application No. 10/510,017
Amendment dated April 30, 2010
Reply to Office Action of April 8, 2010

Docket No.: 30408/40489

The application is in condition for allowance and timely confirmation of the same is respectfully requested.

Dated: April 30, 2010

Respectfully submitted,

By 

Paul B. Stephens

Registration No.: 47,970

MARSHALL, GERSTEIN & BORUN LLP

233 S. Wacker Drive

6300 Willis Tower

Chicago, Illinois 60606-6357

(312) 474-6300

Attorney for Applicant